

Serial No. 52872

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 18 1989

Returned to applicant for correction

Corrected application filed Map filed JAN 18 1989 under 52870

The applicant FMC PARADISE PEAK CORPORATION
5011 MEADOWOOD WAY, SUITE 200 of RENO
Street and No. or P.O. Box No. City or Town
NEVADA 89502 State and Zip Code No. hereby make application for permission to change the
POINT OF DIVERSION
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under 47753
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is UNDERGROUND
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 4.46 CFS IN COMBINATION WITH APPLICATION FOR
PERMITS 47750, 47751, 47752 Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for MINING, MILLING, AND RELATED DOMESTIC
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for SAME
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point. SE 1/4 NW 1/4 SECTION 10 T10N, R36E, A POINT
Describe as being within a 40-acre subdivision of public survey and by course and
FROM WHICH THE NE CORNER OF THE NE 1/4 NW 1/4 OF SECTION 10 BEARS N 8° 20' E A
distance to a section corner. If on unsurveyed land, it should be stated.
DISTANCE OF 1880 FEET. (PROJECTED) M.D.B.&M.
6. The existing permitted point of diversion is located within SE 1/4 SE 1/4, SECTION 12 T11N, R35E,
If point of diversion is not changed, do not answer
M.D.B. & M. AT A POINT FROM WHICH THE SE CORNER OF SECTION 36 IN SAID
TOWNSHIP BEARS S 2° 54' EAST 20850 FEET.
7. Proposed place of use. SECTION 2, 3, 4, 5, 8, 9, 10 AND 11 T10N R36E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
M.D.B. & M
8. Existing place of use. SAME
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from JANUARY 1 to DECEMBER 31 of each year.
Month and Day Month and Day
10. Use was permitted from JANUARY 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) DRILLED WELL, ELECTRIC PUMP AND
State manner in which water is to be diverted, i.e., diversion structure, ditches,
PIPELINE
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$100,000.00
13. Estimated time required to construct works ONE (1) YEAR

14. Estimated time required to complete the application of water to beneficial use... ONE (1) YEAR

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

ANNUAL CONSUMATIVE USE OF WELL IN COMBINATION WITH APPLICATION FOR
PERMITS 47750, 47751, 47752 WILL NOT EXCEED 4.46 CFS (2000 GPM
EXPANDED YEAR-ROUND, OR 1,051,200,000 GALLONS PER YEAR, WATER TO
BE USED IN A MILLING-MINING COMPLEX.

By s/ Phil L. Oberlander
Phil L. Oberlander
Hydro-Search, Inc.
333 Flint St., Reno, Nevada 89501

Compared jm/se bp/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 47753 is issued subject to the terms and conditions imposed in said Permit 47753 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 47750, 47758, 47759, 48064, 48681, 48682, 52870, 52871 and 52872 shall not exceed 1051 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.46 cubic feet per second, but not to exceed 1051 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 19, 1989

Proof of completion of work shall be filed before January 19, 1990

Application of water to beneficial use shall be made on or before December 19, 1989

Proof of the application of water to beneficial use shall be filed on or before January 19, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed _____ office, this 23rd day of August,

Cultural map filed _____ A.D. 19 89

Certificate No. _____ Issued _____
Peter G. Morros
State Engineer

WITHDRAWN BY agent MAR 18 1994
STATE ENGINEER

(PERMIT TERMS CONTINUED)

effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.